

**PATENT**

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re the Application of:	Atty. Docket No.:	004770.00030	
<b>Akseli Anttila et al.</b>			
Patent No.:	7,125,336	Group Art Unit:	3713
Issued:	October 24, 2006	Examiner:	Nguyen, Kim T.
For:	DISTRIBUTED GAME OVER A WIRELESS TELECOMMUNICATIONS NETWORK	Confirmation No.:	6410

**REQUEST FOR RECONSIDERATION OF  
APPLICATION FOR PATENT TERM ADJUSTMENT UNDER 37 C.F.R. § 1.705**

Mail Stop PETITIONS  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

On December 18, 2006, Patentee applied/petitioned under 35 U.S.C. § 154(b) and 37 C.F.R. § 1.705(b) for adjustment of the patent term indicated on the face of the above-identified patent (“Patent”). On November 14, 2008, the USPTO DISMISSED said petition.

The Patentee hereby requests reconsideration of the decision based on the recent case, *Wyeth et al. v. Jon. W. Dudas*, \_\_ F.Supp.3d \_\_ (D.D.C. Sep. 30, 2008), in which the *Wyeth* court held that the USPTO’s calculation of “overlapping” periods under the two-prong determination of patent term adjustment was improper. The court further ordered the USPTO to act consistent with the opinion in that case. For the Office’s convenience, Patentee is attaching a copy of 1) the *Wyeth* opinion; and 2) the *Wyeth* order.

Based on the proper interpretation of overlap between the 14/4/4/4 PTA adjustment and the 3-year pendency adjustment as articulated by the *Wyeth* court, Patentee is entitled to an additional 346 days, for a total of 1,021 days, in this case, for the reasons articulated in Patentee's original request. The Office is authorized to charge any requisite fee for this paper to our Deposit Account No. 19-0733.

Respectfully submitted,

**BANNER & WITCOFF, LTD.**

Date: December 5, 2008

By: /Ross Dannenberg/  
Ross A. Dannenberg  
Registration No. 49,024  
1100 13<sup>th</sup> Street, NW  
Washington, DC 20005  
(202) 824-3000 (main)  
(202) 824-3001 (facsimile)

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